

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: OCTOBER 22, 2009****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-35912 - APPLICANT/OWNER: PRAYER CENTER  
REVIVAL MINISTRIES**

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**\*\* CONDITIONS \*\*****STAFF RECOMMENDATION: APPROVAL**, subject to:**Planning and Development**

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. The applicant shall work with city staff to determine the most appropriate mapping action necessary to consolidate the existing parcels. The mapping action shall be completed and recorded prior to issuance of a building permit.
3. All development shall be in conformance with the site plan, landscape plan, and floor plan date stamped 09/11/09 and building elevations date stamped 09/08/09, except as amended by conditions herein.
4. Waivers from Title 19.12.040 are hereby approved, to allow landscape buffers of one, eight, and zero feet along the north, south, and east perimeters where 15 feet is the minimum required adjacent to right-of-way and two foot landscape buffers along the north and west perimeters where eight feet is required along interior lot lines.
5. An Exception from Title 19.12.040 is hereby approved, to allow two trees within the north landscape buffer where three are required.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

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8. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

14. Coordinate with the City Surveyor to determine if a Reversionary Map or other lot consolidation is necessary prior to the approval of construction drawings; comply with the recommendations of the City Surveyor.
15. Dedicate a 15-foot radius on the northwest corner of Miller Avenue and Lexington Street and an additional 5-foot for a total radius of 25 feet on the southwest corner of Carey Avenue and Lexington Street prior to the issuance of any permits; coordinate with the Right-of-Way Section of the Department of Public Works for assistance in the preparation of appropriate documents.
16. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

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17. Provide a copy of a recorded Joint Access Agreement between the parcels that comprise this site prior to the issuance of any permits, unless the parcels are legally joined into one parcel.
18. Each parcel must have its own lateral connection to public sewer.
19. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
20. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
21. Submit an Encroachment Agreement for all landscaping, if any, located in the public right-of-way adjacent to this site prior to occupancy of this site.
22. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

The subject site consists of three lots containing an existing 1,673 square foot church/house of worship, an undeveloped lot, and a vacant building at 1316 and 1352 Miller Avenue and 1329 West Carey Avenue. This request would combine the existing lots for a proposed 5,750 square-foot expansion to the existing 1,673 square-foot church. The applicant is requesting Waivers of the Title 19.12.040 Perimeter Landscape Buffer Standards along the north, south and east perimeters. The applicant is also requesting, as part of the review, an Exception to allow two trees within the north landscape buffer where three trees are required. Staff can support the Waiver and Exception requests as they are minor in nature, and the landscaping provided will be adequate for the development; therefore, staff is recommending approval of this application. If this application is denied, the existing site will remain as it is, and a Site Development Plan Review would be required for any future development.

**ISSUES**

- The proposed development is identical to the previously approved Site Development Plan Review (SDR-15034). Site Development Plan Review (SDR-15034) expired on 11/15/08.
- The applicant is requesting Waivers to allow landscape buffers of one, eight, and zero-feet along the north, south, and east perimeters where 15 feet is required, adjacent to right-of-way.
- The applicant is requesting a Waiver to allow landscape buffers of two-feet along the north and west perimeters where eight feet is required, adjacent to interior lot lines.
- The applicant is requesting an Exception to allow two trees within the north landscape buffer where three trees are required.
- The site currently consists of three separate parcels, and must be remapped to combine these lots prior to issuance of building permits.

**BACKGROUND INFORMATION**

<i><b>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc and Property Sales</b></i>	
09/20/01	A deed was recorded for a change in ownership at 1316 and 1352 Miller Avenue and 1329 West Carey Avenue.
11/15/06	The City Council approved a Rezoning (ZON-16632) request for a zone change from C-1 (Limited Commercial) and C-2 (General Commercial) to C-V (Civic) on the subject site. The Planning Commission and staff recommended approval. Rezoning (ZON-16632) expired on 11/15/08.

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11/15/06	The City Council approved a Site Development Plan Review (SDR-15034) for a 5,750 square-foot expansion to an existing 1,673 square-foot church at 1316 and 1352 Miller Avenue and 1329 West Carey Avenue. Planning Commission and staff recommended approval. Site Development Plan Review (SDR-15034) expired on 11/15/08.
11/15/06	The City Council approved a General Plan Amendment (GPA-17129) request to amend the Southeast Sector Plan from MLA (Medium-Low Attached Density Residential) to PF (Public Facilities) at 1316 and 1352 Miller Avenue and 1329 West Carey Avenue. The Planning Commission and staff recommended approval.
<b><i>Related Building Permits/Business Licenses</i></b>	
07/29/09	<p>A building permit (#144228) for a 5,750 square-foot expansion to an existing 1,673 square-foot church was denied by the Planning and Development Department. The permit was denied based on the following;</p> <ul style="list-style-type: none"> <li>• SDR-15034 expired on 11/15/08. No Extension of Time was granted for the application. A new site development application will need to be submitted and approved by the City Council prior to approval of building permits.</li> <li>• Civil plans shall be approved prior to issuance of building permits.</li> </ul>
<b><i>Pre-Application Meeting</i></b>	
08/26/09	<p>The Planning and Development Department met with the applicant and reviewed the requirements for a Site Development Plan Review application.</p> <ul style="list-style-type: none"> <li>• Waivers and exceptions for landscaping were discussed.</li> </ul>
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting was not held, nor was one required.	

<b><i>Field Check</i></b>	
09/17/09	Staff conducted a field inspection and noted a well maintained undeveloped lot and a church/house of worship site in good condition.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Net Acres	0.69

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Church	P-F (Public Facilities)	C-V (Civic)
North	Government Facility	City of North Las Vegas	City of North Las Vegas
South	Undeveloped & Single Family Residential	MLA (Medium Low Attached)	R-CL (Residential Compact Lot)

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East	Retail & Single Family Residential	SC (Service Commercial) & MLA (Medium Low Attached)	C-2 (General Commercial) & R-2 (Medium-Low Density Residential)
West	Church & Undeveloped	MLA (Medium Low Attached)	R-2 (Medium-Low Density Residential) & C-2 (General Commercial)

<i><b>Special Districts/Zones</b></i>	<i><b>Yes</b></i>	<i><b>No</b></i>	<i><b>Compliance</b></i>
<b>Special Area Plan</b>	X		Y
C-V Civic District	X		Y
West Las Vegas Plan	X		Y
A-O (Airport Overlay) District	X		Y
<b>Trails</b>		X	N/A
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

**DEVELOPMENT STANDARDS**

<i><b>Standard</b></i>	<i><b>Provided</b></i>	<i><b>Compliance</b></i>
Min. Lot Size	30,083 SF	Y
Min. Lot Width	162 Feet	Y
Min. Setbacks		
• Front	32 Feet	Y
• Side	55 Feet	Y
• Corner	8 Feet	Y
• Rear	11 Feet	Y
Max. Lot Coverage	25%	Y
Max. Building Height	28 Feet	Y
Trash Enclosure	Screened, Gated with a Roof or Trellis	Y
Mech. Equipment	Screened	Y

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<i><b>Landscaping and Open Space Standards</b></i>				
<i><b>Standards</b></i>	<i><b>Required</b></i>		<i><b>Provided</b></i>	<i><b>Compliance</b></i>
	<i><b>Ratio</b></i>	<i><b>Trees</b></i>		
Parking Area	1 Tree / 6 Spaces	6 Trees	2 Trees	N
Buffer:				
Min. Trees				
• North	1 Tree / 30 Linear Feet	3 Trees	2 Trees	N
	1 Tree / 20 Linear Feet	4 Trees	4 Trees	Y
• South	1 Tree / 30 Linear Feet	6 Trees	7 Trees	Y
• East	1 Tree / 30 Linear Feet	5 Trees	6 Trees	Y
	1 Tree / 20 Linear Feet	6 Trees	6 Trees	Y
• West	1 Tree / 30 Linear Feet	6 Trees	13 Trees	Y
<b>TOTAL</b>		36 Trees	40 Trees	Y
Min. Zone Width				
• North	15 Feet		5 Feet	N
• North	8 Feet		2 Feet	N
• South	15 Feet		8 Feet	N
• East	15 Feet		Zero-Feet	N
• West	8 Feet		2 Feet	N
Wall Height	N/A		8 Feet	Y

***Pursuant to Title 19.10, the following parking standards apply:***

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Church / House of Worship	2,967 SF	1:100	30	2	34	2	
TOTAL			30		36		Y

<b>Waivers</b>		
<b>Request</b>	<b>Requirement</b>	<b>Staff Recommendation</b>
An 8-foot landscape buffer along the south perimeter adjacent to right-of-way.	15 Feet	Approval
A one-foot landscape buffer along the north perimeter adjacent to right-of-way.	15 Feet	Approval

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A zero-foot landscape buffer along the east perimeter adjacent to right-of-way.	15 Feet	Approval
A two-foot landscape buffer along the west perimeter, adjacent to interior lot lines.	8 Feet	Approval
A two-foot landscape buffer along the north perimeter, adjacent to interior lot lines.	8 Feet	Approval

<b>Exceptions</b>		
<b>Request</b>	<b>Requirement</b>	<b>Staff Recommendation</b>
To allow two trees within the north landscape buffer	3 Trees	Approval

## ANALYSIS

A previous Site Development Plan Review (SDR-15034) and Rezoning (ZON-16632) were approved by City Council on 11/15/06 for a 5,750 square-foot expansion to an existing 1,673 square-foot church and Rezoning from C-1 (Limited Commercial) and C-2 (General Commercial) to C-V (Civic); however, these entitlements were not exercised before they expired on 11/15/08. On 07/01/09, the City Council approved Ordinance #6046 and successfully changed the zoning of the property from C-1 (Limited Commercial) and C-2 (General Commercial) to C-V (Civic). Therefore, only a Site Development Plan Review and the acquisition of all required building permits are currently required to expand the church to 7,423 square feet.

As proposed, this infill project will combine an existing church/house of worship site, a vacant building site, and an undeveloped site into an expanded church/house of worship building, with the three properties remapped to create a single parcel. The existing 1,673 square foot church/house of worship will be expanded by 5,750 square feet. The vacant building will be removed to provide a majority of the required parking for the expanded church/house of worship. The additions to the site meet all development standards of Title 19, including setbacks, parking, and design standards.

The proposed site does not meet the minimum landscape standards of Title 19.12. Per Title 19.12, a perimeter landscape buffer of 15 feet must be provided adjacent to all street right-of-way. The site plan depicts a five-foot landscape buffer along the north perimeter, adjacent to Carey Avenue, which is a 10-foot deviation from standard, an eight foot landscape buffer along the south perimeter, adjacent to Miller Avenue, which is a 7-foot deviation from standard, and a zero-foot landscape buffer along the east perimeter, adjacent to Lexington Street, which is a 15-foot deviation from standard.



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Per Title 19.12, a perimeter landscape buffer of eight feet must be provided adjacent to interior lot lines. The site plan depicts two-foot landscape buffers along the north and west perimeters, which is a six foot deviation from standard. The applicant is also requesting, as part of the review, an Exception to allow two trees within the landscape buffer along the north perimeter where three are required.

Although the applicant is requesting Waivers for each perimeter landscape buffer, the applicant has exceeded the minimum landscaping requirements with respect to overall tree and shrub count in an effort to compensate for the reduced buffer widths; therefore, staff recommends approval of this application.

## **FINDINGS**

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

- 1. The proposed development is compatible with adjacent development and development in the area;**

The proposed development is compatible with adjacent development and development in the area.

- 2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

The proposed development is consistent with the General Plan and Title 19, with the exception of the request for waivers and exception of the perimeter landscape buffer standards. The request is minor in nature and will not negatively impact the surrounding land uses.

- 3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

The site is accessed from Miller Avenue, which is a 60-foot Right-of-Way and will provide adequate access to the site. Site access and circulation will not negatively impact adjacent roadways and neighborhood traffic.

- 4. Building and landscape materials are appropriate for the area and for the City;**

The building materials are appropriate for the area and the city. Landscape materials are also appropriate for the area and city.

5. **Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

The building elevations are not unsightly or obnoxious, and will be compatible with development in the area.

6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

The proposed development is subject to permit review and inspection; therefore, appropriate measures will be taken to protect the health, safety and general welfare.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

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**NOTICES MAILED** 259

**APPROVALS** 1

**PROTESTS** 0